

**IN THE  
SUPERIOR COURT OF LAKE COUNTY**

<b>IN THE MATTER OF THE</b>	)
	)
<b>REVISION TO THE 2005</b>	)
	)
<b>CASELOAD ALLOCATION PLAN</b>	)
	)
<b>FOR THE LAKE COUNTY</b>	)
	)
<b>SUPERIOR AND CIRCUIT COURTS</b>	)

**REVISION OF THE  
2005 ALLOCATION OF JUDICIAL RESOURCES PLAN FOR THE LAKE  
COUNTY SUPERIOR AND CIRCUIT COURT  
AND  
ADMINISTRATIVE ORDER ADOPTING THE REVISED  
2005 ALLOCATION OF JUDICIAL RESOURCES PLAN**

The judges of the trial courts of record in Lake County, Indiana, hereby request approval of the following revision to the *Lake County Superior Court Allocation of Judicial Resources (AJR) Plan for Calendar Year 2005*.

In the course of review of the weighted caseload utilization statistics for 2006, it was determined that most of our courts are currently in compliance with Administrative Rule 1. However, two areas of concern became apparent.

First, when compared to all other courts, there was a relatively low utilization of the Civil Division-Room 2 in East Chicago. Second, there was a high utilization of two County Division Courts, specifically County Division-Room 2 in Crown Point and Room 4 in Hammond. The utilization of those three courts put Lake County out of compliance with Administrative Rule 1(e)(2), which requires that the utilization variance among the courts of record in Lake County not exceed forty (40) percentage points. It is our intention with this revision to address the variance.

Civil Division–Room 2, 2006 activity is represented statistically in Table 1 using the 2006 quarterly case status reports provided to the Division of State Court Administration, the most current information available. To address the .69 utilization for Civil Division-Room 2 and to bring it into compliance with A.R. 1, the court proposes a re-allocation of .4 judicial officers from Civil Division-Room 2 to be divided equally between County Division-Room 4 in Hammond and Civil Division-Room 3 in Gary. By so doing, Civil Division-Room 2 will be in compliance with Administrative Rule 1, County Division-Room 4 will receive assistance to lower its utilization, and Civil Division-Room 3 will receive valuable assistance to lower its utilization number which has been significantly higher than any other court in the Civil Division.

Table 2 reflects the impact of this re-allocation for 2007 on Civil Division-Room 2.

**TABLE 1**

<b><u>ACTUAL 2006</u></b>			
<b>Court</b>	<b>Caseload</b>	<b>Judicial Officers</b>	<b>Utilization</b>
Civil Division-Room 2	.83	1.2	.69

**TABLE 2**

<b><u>ESTIMATED 2007</u></b>			
<b>Court</b>	<b>Caseload</b>	<b>Judicial Officers</b>	<b>Utilization</b>
Civil Division-Room 2	.83	.80	1.04

It should be noted that in 2005 a caseload disparity in the Civil Division courts in Gary was identified and remedied on this court's own initiative. Civil Division-Room 3 in Gary was established in 2001 as the Domestic Relations Court for Lake County. Civil Division-Room 4 is also located in Gary and during 2005 experienced a decided under-utilization. To remedy the underutilization, the following case filing procedures were ordered effective January 1, 2006:

1. All new PL, MF, CT, MH, AD, AH, ES/EU, GU, TR and MI cases filings in Gary were assigned to Civil Division-Room 4.
2. CC cases were assigned to the court chosen by counsel or the party filing the case.
3. In addition to the filing changes noted above, the Probate Commissioner assigned to Civil Division-Room 3 was transferred to Civil Division-Room 4.

The statistics provided below in Table 3 reflect the impact of these changes in 2006. This new filing format clearly brought Civil Division-Room 4 into compliance with Administrative Rule 1.

**ACTUAL 2005 AND 2006 UTILIZATION FIGURES**  
**CIVIL DIVISION 3 AND 4**

**TABLE 3**

<b>Court</b>	<b>Caseload</b>	<b>Judicial Officers</b>	<b>Utilization</b>
Civil Division 3-2005	4.23	3.2	1.32
Civil Division 3-2006	3.97	3	1.32
Civil Division 4-2005	.56	1	.56
Civil Division 4-2006	1.23	1.2	1.03

When addressing the utilization of the County Division Courts in 2006, it must be noted that these courts have historically had very high weighted caseload utilization figures. Until the recent changes in Administrative Rule 1, the court was able to substantially maintain a weighted caseload utilization figure under which all courts in Lake County were .25 above or below the average for the Superior Court as a whole.

Furthermore, the 2006 utilization figures of 1.76 and 1.64 in County Division-Rooms 2 and 4 respectively, though high by weighted caseload standards, do not create any undue burden on the staff or litigants in these courts. The litigants in each of the County Division courts are being served in a judicious manner. The processes established in these courts to handle the high volume of cases before them, principally through appropriate staffing, is efficient. Nonetheless,

the court, in compliance with Administrative Rule 1, proposes the re-allocation of judicial officers from less utilized courts to the higher utilized County Division courts, rather than altering the assignment of cases, to bring the County Division courts into compliance. Table 4 reflects the 2006 utilization figures for County Divisions 2 and 4 and the impact of the re-allocation of .6 judicial officers to County Division 2 and .2 judicial officers to County Division 4. The table assumes 2007 case filing patterns are similar to 2006:

**TABLE 4**  
**ACTUAL 2006 AND ESTIMATED 2007 UTILIZATION FIGURES**  
**COUNTY DIVISION-ROOMS 2 AND 4**

<b>Court</b>	<b>Caseload</b>	<b>Judicial Officers</b>	<b>Utilization</b>
County 2 - 2006	3.70	2.1	1.76
County 2 - 2007 est.	3.70	2.7	1.37
County 4 - 2006	1.97	1.2	1.64
County 4 - 2007 est.	1.77	1.4	1.26

County Division-Room 2 will benefit from the re-allocation of .1 judicial officers from each of our Criminal Division courts and from .1 judicial officers each from Civil Division-Room 6 and Civil Division-Room 7, which are located in Crown Point.

County Division 4 will benefit from the re-allocation of .2 judicial officers from Civil Division-Room 2 as noted in Table 2. In addition, County Division 4 will no longer accept PO cases. PO cases filed in the Hammond Courthouse will be equally distributed between Civil Division-Room 1 and Civil Division-Room 5.

Attachment 1 provides a detailed breakdown of the changes outlined in this order, an accurate representation of the 2006 utilization figures for Lake County and the 2007 estimated utilization figures. The Lake Superior Court with the highest 2007 utilization figure is expected to be County Division-Room 2 at 1.37 and the court with the lowest utilization figure is expected to be Criminal Division-Room 2 at .98. The difference between the highest and lowest courts

will then be .39, which places the Lake Superior and Circuit Courts within the utilization requirements set forth in Administrative Rule 1(e)(2). The court will monitor its utilization on a periodic basis and make adjustments when appropriate to maintain compliance with the Rule.

This order has been formulated after consultation with the judges of all of the courts of Lake County. It has been approved without qualification by a majority of the judges.

IT IS THEREFORE ORDERED that the Lake County Superior Court adopt these changes to the *Lake County Superior Court Allocation of Judicial Resources (AJR) Plan for Calendar Year 2005*.

IT IS FURTHER ORDERED that good cause exists to deviate from the T.R. 81 schedule for adopting local rules, that this Order be immediately published on the Lake County Government Website, that this Order be immediately transmitted in digital format to the Indiana Supreme Court Division of State Court Administration for publication on the state judicial website and that this Order become effective May 7, 2007, unless a different effective date is established by Order of the Indiana Supreme Court.

FOR THE SUPERIOR COURT

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JOHN R. PERA, CHIEF JUDGE

DATED: \_\_\_\_\_